

2005 DRAFTING REQUEST

Bill

Received: 05/06/2005

Received By: btradewe

Wanted: As time permits

Identical to LRB:

For: Patricia Strachota (608) 264-8486

By/Representing: Sara Buschman

This file may be shown to any legislator: NO

Drafter: btradewe

May Contact:

Addl. Drafters:

Subject: Agriculture - animals

Extra Copies:

Submit via email: YES

Requester's email: Rep.Strachota@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Exemption from rabies vaccination requirement

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/P1	btradewe 05/10/2005	csicilia 05/10/2005	rschluet 05/10/2005	_____	sbasford 05/10/2005		
/1	btradewe 05/16/2005	csicilia 05/17/2005	pgreensl 05/17/2005	_____	lemery 05/17/2005	lemery 06/17/2005	

FE Sent For:

<END>

2005 DRAFTING REQUEST

Bill

Received: **05/06/2005**

Received By: **btradewe**

Wanted: **As time permits**

Identical to LRB:

For: **Patricia Strachota (608) 264-8486**

By/Representing: **Sara Buschman**

This file may be shown to any legislator: **NO**

Drafter: **btradewe**

May Contact:

Addl. Drafters:

Subject: **Agriculture - animals**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Strachota@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Exemption from rabies vaccination requirement

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/P1	btradewe 05/10/2005	csicilia 05/10/2005	rschluet 05/10/2005	_____	sbasford 05/10/2005		
/1	btradewe 05/16/2005	csicilia 05/17/2005	pgreensl 05/17/2005	_____	lemery 05/17/2005		

FE Sent For:

<END>

2005 DRAFTING REQUEST

Bill

Received: 05/06/2005

Received By: btradewe

Wanted: As time permits

Identical to LRB:

For: Patricia Strachota (608) 264-8486

By/Representing: Sara Buschman

This file may be shown to any legislator: NO

Drafter: btradewe

May Contact:

Addl. Drafters:

Subject: Agriculture - animals

Extra Copies:

Submit via email: YES

Requester's email: Rep.Strachota@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Exemption from rabies vaccination requirement

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/P1	btradewe 05/10/2005	csicilia 05/10/2005	rschluet 05/10/2005	<u>5/17</u> PS	sbasford 05/10/2005		

FE Sent For:

1 gs 5/17/05
5/17/05 PS
5/17/05 PS
<END>

2005 DRAFTING REQUEST

Bill

Received: **05/06/2005**

Received By: **btradewe**

Wanted: **As time permits**

Identical to LRB:

For: **Patricia Strachota (608) 264-8486**

By/Representing: **Sara Buschman**

This file may be shown to any legislator: **NO**

Drafter: **btradewe**

May Contact:

Addl. Drafters:

Subject: **Agriculture - animals**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Strachota@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Exemption from rabies vaccination requirement

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

/?	btradewe						
----	----------	--	--	--	--	--	--

PI gjs 5/10/05
<END>

FE Sent For:

5/3/05 Call from Sarah in Rep. Strakotas office:

Want to allow local govt. to exempt a dog from the rabies vaccination requirement based on a notarized letter from a veterinarian. Would need a new letter each year. The situation here ~~was~~ is a dog that had a bad reaction to the vaccine. She will send some state statute over.

Ret

Tradewell, Becky

From: Buschman, Sara
Sent: Thursday, May 05, 2005 5:08 PM
To: Tradewell, Becky
Subject: RE: Drafting request

Sorry about that! Shortly after we spoke yesterday I got stuck in an elevator and had to be "rescued" by four firemen, so needless to say I really wasn't thinking much the rest of the day!

In any event, attached are the statutes that my constituent sent me. Let me know if you can't open them.

Thanks again for the reminder or I would have forgotten again to send the emails, thank goodness tomorrow is Friday!

Sara



Rabies - NJ
Statutes.doc



Rabies - MA
Statutes.doc



Rabies - NY
Statutes.rtf



Rabies - FL
Statutes.doc

From: Tradewell, Becky
Sent: Thursday, May 05, 2005 11:11 AM
To: Buschman, Sara
Subject: Drafting request

Sara,

I have not received an email from you about the request for a draft to allow exemptions from the rabies vaccination requirement. If it would be easier for you, you could send copies of the materials over by messenger.

Becky Tradewell
6-7290

New Jersey Statutes Annotated Currentness

Title 4. Agriculture and Domestic Animals (Refs & Annos)

*Chapter 19. Dogs, Taxation and Liability for Injuries Caused by (Refs & Annos)

*Article 2. Registration and Tags; Injuries to Animals and Poultry

➔**4:19-15.2a. Evidence of inoculation with rabies vaccine or certification of exemption; requirement for license**

No municipal clerk or other official designated by the governing body of any municipality to license dogs therein shall grant any such license and official metal registration tag for any dog unless the owner thereof provides evidence that the dog to be licensed and registered has been inoculated with a rabies vaccine of a type approved by and administered in accordance with the recommendations of the United States Department of Agriculture and the United States Department of Health, Education, and Welfare, **or has been certified exempt as provided by regulations of the State Department of Health.** Such vaccination shall be repeated at intervals as provided by regulations of the State Department of Health, and shall be administered by a duly licensed veterinarian or by such other veterinarian permitted by law to do the same. The State Department of Health shall promulgate regulations providing for the recognized duration of immunity, interval of inoculation, certificate of vaccination, certificate of exemption, and such other matters related to this act.

N.J.A.C. § 8:23A-4.3

NEW JERSEY ADMINISTRATIVE CODE

Copyright (c) 2005 by the New Jersey Office of Administrative Law

*** THIS FILE INCLUDES ALL REGULATIONS PUBLISHED THROUGH THE ***

*** NEW JERSEY REGISTER, VOL. 37. NO. 2, JANUARY 18, 2005 ***

TITLE 8. DEPARTMENT OF HEALTH AND SENIOR SERVICES

CHAPTER 23A. ANIMAL FACILITY OPERATION; ANIMAL CONTROL OFFICER CERTIFICATION; PILOT
SPAY/NEUTER CLINIC FEES

SUBCHAPTER 4. **RABIES** INOCULATION

N.J.A.C. § 8:23A-4.3

§ 8:23A-4.3 Certification of **exemption**

Municipal dog licensing officials shall grant an **exemption to the rabies** inoculation requirement for any dog that a duly licensed veterinarian certifies in writing to be incapable of being inoculated because of an infirmity, other physical condition, or regimen of therapy.

TITLE XX.
PUBLIC SAFETY AND GOOD ORDER

CHAPTER 140. LICENSES

DOGS

Chapter 140: Section 137 Registration and licenses

Section 137. A person who at the commencement of a license period is, or who during any license period becomes, the owner or keeper of a dog six months old or over which is not duly licensed, and the owner or keeper of a dog when it becomes six months old during a license period, shall cause it to be registered, numbered, described and licensed until the end of such license period, and the owner or keeper of a dog so registered, numbered, described and licensed during any license period, in order to own or keep such dog after the beginning of the succeeding license period, shall, before the beginning thereof, cause it to be registered, numbered, described and licensed for such period. The registering, numbering, describing and licensing of a dog, if kept in Boston shall be in the office of the police commissioner or if kept in any other town in the office of the clerk thereof.

No town clerk or, in Boston, the police commissioner, shall grant such license for any dog unless the owner thereof provides such town clerk or, in Boston, the police commissioner, either a veterinarian's certification that such dog has been vaccinated in accordance with the provisions of section one hundred and forty-five B, or has been certified exempt from such provision as hereinafter provided, or a notarized letter from a veterinarian that a certification was issued or a metal rabies tag bearing an expiration date indicating that such certification is still in effect.

A dog licensing official may grant an exemption from the provisions of section one hundred and forty-five B for any dog which has not yet attained the age of six months, any dog which the local board of health, for a specified period of time, declared exempt upon presentation of a veterinarian's certificate stating that because of an infirmity, other physical condition or regimen of therapy, that inoculation is thereby deemed inadvisable, or any dog in transit, or dog brought into the commonwealth, temporarily, for the sole purpose of showing in dog shows or exhibition.

The license shall be in a form prescribed by the director, upon a blank to be furnished, except in the county of Suffolk, by the county in which the town is located, and shall be subject to the condition expressed therein that the dog which is the subject of the license shall be controlled and restrained from killing, chasing or harassing live stock or fowls.

The owner of any dog may add descriptive words, not over ten in number, upon the license form to indicate the color, breed, weight and special markings of the licensed dog.

The owner or keeper of a licensed dog shall cause it to wear around its neck or body a collar or harness of leather or other suitable material, to which shall be securely attached a tag in a form prescribed by the director, and upon which shall appear the license number, the name of the town issuing such license and the year of issue. Such tags shall

be furnished in the same manner as the license blanks, and if any such tag shall be lost the owner or keeper of such dog shall forthwith secure a substitute tag from the town clerk or, in Boston, from the police commissioner, at a cost of ten cents which, if received by a town clerk, shall be retained by him unless otherwise provided by law. This section shall not apply where it is otherwise provided by law, nor shall it apply to a person having a kennel license.

NY CLS Pub Health § 2141

NEW YORK CONSOLIDATED LAW SERVICE
Copyright (c) 2004 Matthew Bender & Company, Inc.,
one of the LEXIS Publishing (TM) companies
All rights reserved

** THIS SECTION IS CURRENT THROUGH CH. 747, 12/06/2004 **

PUBLIC HEALTH LAW
ARTICLE 21. CONTROL OF ACUTE COMMUNICABLE DISEASES
TITLE IV. RABIES

NY CLS Pub Health § 2141 (2004)

§ 2141. Compulsory vaccination

1. Every dog, cat and domesticated ferret shall be actively immunized against rabies in accordance with regulations promulgated by the commissioner. Every dog, cat and domesticated ferret shall have all initial vaccinations administered no later than four months after birth. Every dog, cat and domesticated ferret shall have a second vaccination within one year of the first. Terms of subsequent vaccine administration and duration of immunity must be in compliance with USDA licenses of vaccines used. The veterinarian immunizing or supervising any person authorized by law to immunize such animal shall provide the owner with a certificate of immunization consistent with the requirements of section one hundred nine of the agriculture and markets law. The veterinarian immunizing or supervising any person authorized by law to immunize such animal shall provide any public health official with the certificate of immunization in any case involving a dog, cat or domesticated ferret which has been or may have been exposed to rabies or in any case of possible exposure of a person or another animal to rabies.

2. Subdivision one of this section shall not apply to any feral animal or any dog, cat or domesticated ferret:

- (a) that is transported through the state and remains in the state fifteen days or fewer;
- (b) confined to the premises of an incorporated society devoted to the care of lost, stray or homeless animals;
- (c) for which vaccination against rabies would adversely affect the animal's health, as determined by a licensed veterinarian; or
- (d) confined for the purposes of research to the premises of a college or other educational or research institution.

3. (a) Every veterinarian providing treatment to a dog, cat or domesticated ferret shall verify, in accordance with standards established by the commissioner, if such animal is actively immunized against rabies or is exempt under subdivision two of this section. If active immunization or exemption cannot be verified, the veterinarian shall immunize the animal at the owner's request.

(b) If the animal is exempt from the provisions of subdivision one of this section, pursuant to paragraph (c) of subdivision two of this section, the veterinarian shall provide the owner of the dog, cat or domesticated ferret with a certified statement verifying that the animal is exempt from immunization because the immunization would adversely affect the health of the animal, and verifying the nature and duration of such exemption. The certified statement shall be in a form prescribed by the commissioner and shall be consistent with the requirements of section one hundred nine of the agriculture and markets law. Medical exemptions are to be renewed on an annual basis.

4. The owning of a dog, cat or domesticated ferret by any person in violation of subdivision one of this section shall constitute a violation, and shall be subject to a fine not to exceed two hundred dollars for each offense.

HISTORY: Legislative History:

Add, L 2002, ch 180, § 1, eff Nov 20, 2002 (see 2002 note below).

NY CLS Pub Health § 2141

Former § 2141, add, L 1953, ch 879, § 1, with substance derived from former § 25-a; repealed, L 2002, ch 180, § 1, eff Nov 20, 2002 (see 2002 note below).

NOTES:**Explanatory Notes:****Editor's Notes**

Laws 2002, ch 180, § 8, eff Nov 20, 2002, provides as follows:.

§ 8. This act shall take effect on the one hundred twentieth day after it shall have become a law; provided, however, that the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of the provisions of this act on its effective date are authorized and directed to be made and completed within 90 days of such effective date.

Cross References:

This section referred to in § 2146

Law Reviews & Journals:

4 Am Jur 2d, Animals § 42

1C Am Jur Pl & Pr Forms, Rev, Animals § 156

Case Notes 1.--5. [Reserved for future use.] 6. Under former § 2145

1.--5. [Reserved for future use.]

6. Under former § 2145

A county may not, by amendment of its Health Code, require rabies vaccinations for all dogs after the State Commissioner has removed the designation of the county as a rabies county. 1979 Op Atty Gen June 27. (Informal).

The cost of county anti-rabies program pursuant to Public Health Law § 2145(1)(a) and (1)(b), is a general county charge and may not be assessed against users of the program. 1990 Ops Atty Gen I90-3.

Cost of county anti-rabies program is general county charge and may not be assessed against users of program. Op Atty Gen 90-3 (informal).

A county board of health cannot legally adopt a regulation requiring that certificates of vaccination against rabies be presented by the applicant as a condition to the issuance of dog licenses. 1979 Op St Compt File #502.

A town is not legally obligated under Public Health Law § 2144 to reimburse a private hospital for expenses incurred in the treatment of an individual who was injured by a rabid animal within the town in the absence of a certification of the existence of rabies by the state health commissioner pursuant to Public Health Law § 2140 and authorization by the local health officer to incur such expenses. 1991 Op St Compt No. 91-31.

Florida Chapter 828

ANIMALS: CRUELTY; SALES; ANIMAL ENTERPRISE PROTECTION

828.30 Rabies vaccination of dogs, cats, and ferrets.--

- (1) All dogs, cats, and ferrets 4 months of age or older must be vaccinated by a licensed veterinarian against rabies with a United States Government-approved vaccine. The cost of vaccination must be borne by the animal's owner.
- (2) *A dog, cat, or ferret is exempt from vaccination against rabies if a licensed veterinarian has examined the animal and has certified in writing that at the time vaccination would endanger the animal's health because of its age, infirmity, disability, illness, or other medical considerations. An exempt animal must be vaccinated against rabies as soon as its health permits.*
- (3) Upon vaccination against rabies, the licensed veterinarian shall provide the animal's owner and the animal control authority with a rabies vaccination certificate which must contain at least the following information:
 - (a) The license number of the administering veterinarian.
 - (b) The name, address, and phone number of the veterinarian and owner.
 - (c) The date of vaccination.
 - (d) The expiration date of the vaccination.
 - (e) The species, age, sex, color, breed, weight, and name of the animal vaccinated.
 - (f) The rabies vaccine manufacturer.
 - (g) The vaccine lot number and expiration date.
 - (h) The type and brand of vaccine used.
 - (i) The route of administration of the vaccine.
 - (j) The signature or signature stamp of the licensed veterinarian.
- (4) Beginning March 1, 1999, each ferret vaccinated according to this section must be quarantined, when necessary, according to rules of the Department of Health.



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-2976/P1

RCT:.....

SOON (in 5/10)

js

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ONK

Gen cat.

1 AN ACT ...; relating to: the requirement that dogs be vaccinated against rabies.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 95.21 (2) (a) of the statutes is amended to read:

3 95.21 (2) (a) *Requirement for vaccination.* Except as provided in s. 174.054 or
4 sub. (9) (d), the owner of a dog shall have the dog vaccinated against rabies by a
5 veterinarian at no later than 5 months of age and revaccinated within one year after
6 the initial vaccination. If the owner obtains the dog or brings the dog into this state
7 after the dog has reached 5 months of age, the owner shall have the dog vaccinated
8 against rabies within 30 days after the dog is obtained or brought into the state
9 unless the dog has been vaccinated as evidenced by a current certificate of rabies
10 vaccination from this state or another state. The owner of a dog shall have the dog

1 revaccinated against rabies by a veterinarian before the date that the immunization
2 expires as stated on the certificate of vaccination or, if no date is specified, within 3
3 years after the previous vaccination.

History: 1979 c. 129, 289, 357; 1981 c. 285; 1981 c. 314 s. 144; 1983 a. 189 s. 329 (18); 1983 a. 451; 1985 a. 135, 184; 1993 a. 27; 1995 a. 450; 1997 a. 192, 217; 1999 a. 9.

4 **SECTION 2.** 95.21 (9) (d) of the statutes is created to read:

5 95.21 (9) (d) A city, village, or town may exempt the owner of a dog from the
6 requirement to have the dog vaccinated against rabies for a year based on a notarized
7 letter from a veterinarian stating that vaccination is inadvisable because of a
8 reaction to a previous vaccination, a physical condition, or a regimen of therapy that
9 the dog is undergoing. ^{The} A city, village, or town shall require the owner to provide a
10 new notarized letter for each year in which the owner seeks an exemption under this
11 paragraph. ✓ ✓

12 **SECTION 3.** 174.07 (1) (b) of the statutes is amended to read:

13 174.07 (1) (b) *Licenses.* Upon payment of the required dog license tax and,
14 except as provided in s. 95.21 (9) (d), upon presentation of evidence that the dog is
15 currently immunized against rabies, the collecting official shall complete and issue
16 to the owner a license for the dog bearing a serial number and in the form prescribed
17 by the department stating the date of its expiration, the owner's name and address,
18 and the name, sex, spayed or unspayed, neutered or unneutered, breed and color of
19 the dog.

History: 1975 c. 290, 421; 1977 c. 29 ss. 1260g, 1650m (4); 1979 c. 289 ss. 20, 25 to 30; 1981 c. 285; 1983 a. 451; 2001 a. 16, 107; 2003 a. 133.

20 (END)

DNote

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2976/P1dn

RCT:.....

gjs

Sarah Buschman:

This is a preliminary draft of the proposal to allow exemptions from the rabies vaccination requirement. Please review it and let me know whether you want any changes. Once ~~it is in the form that you want~~, I will write an analysis and put the draft into introducible form.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.state.wi.us

you are
satisfied with the draft

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2976/P1dn
RCT:cjs:rs

May 10, 2005

Sarah Buschman:

This is a preliminary draft of the proposal to allow exemptions from the rabies vaccination requirement. Please review it and let me know whether you want any changes. Once you are satisfied with the draft, I will write an analysis and put the draft into introducible form.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.state.wi.us

Tradewell, Becky

From: Buschman, Sara
Sent: Monday, May 16, 2005 11:34 AM
To: Tradewell, Becky
Subject: RE: LRB 2976 draft (dog vaccination exemption)

I had a further discussion on this on Friday with my constituent...I'll give you a call this afternoon to discuss.

Sara

From: Tradewell, Becky
Sent: Monday, May 16, 2005 9:24 AM
To: Buschman, Sara
Subject: RE: LRB 2976 draft (dog vaccination exemption)

Sara,

I have looked at s. 95.21 (4) to (8) and am unsure of what Dr. Bellay intended with respect to the quarantine provisions applying to unvaccinated animals. Should the draft provide that the owner must keep the animal leashed or confined as long as it is unvaccinated? If the idea is to provide that an officer may order the dog to be quarantined if there is reason to believe that the dog bit a person, is infected with rabies, or has been in contact with a rabid animal, there is no need to change the draft because s. 95.21 (4) (a) [and the rest of s. 95.21 (4) to (8)] would continue to apply to dogs exempted from the vaccination requirement just as it applies to all dogs under current law.

Becky

-----Original Message-----

From: Buschman, Sara
Sent: Thursday, May 12, 2005 4:16 PM
To: Tradewell, Becky
Subject: LRB 2976 draft (dog vaccination exemption)

Becky,

I have some changes/additions to the vaccination draft.

We can remove the requirement that the letter from the vet has to be notarized, just have it read a letter from the vet

After talking with the state vet, Dr. Bellay, she indicated we should include language to the effect that while the dog is unvaccinated it is subject to the quarantine provisions for unvaccinated animals per ss.95.21(4) to (8). That is what is done now.

If we make these two changes I think we should be good to go.

Thanks again,

Sara

Sara Buschman
Legislative Aide to
State Representative Pat Strachota
58th Assembly District

Toll-Free: 1-888-534-0058
Email: sara.buschman@legis.state.wi.us

5/16/05 Per Sara-

1. Allow owners of these dogs to have them kept at a veterinarian's rather than at a shelter (as isolation facility)

2. Exempt them from vaccination requirement in s. 95.21(5) (c) 1. and 2.



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-2976/1

RCT:cjs:rs

500W (ins/16)

stays

rmr

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

DNdc

Regu cast -

1 AN ACT *to amend* 95.21 (2) (a) and 174.07 (1) (b); and *to create* 95.21 (9) (d) of
2 the statutes; **relating to:** the requirement that dogs be vaccinated against
3 rabies.

Analysis by the Legislative Reference Bureau

~~This is a preliminary draft. An analysis will be provided in a later version.~~

analysis
insert

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 SECTION 1. 95.21 (2) (a) of the statutes is amended to read:
5 95.21 (2) (a) *Requirement for vaccination.* Except as provided in s. 174.054 or
6 sub. (9) (d), the owner of a dog shall have the dog vaccinated against rabies by a
7 veterinarian at no later than 5 months of age and revaccinated within one year after
8 the initial vaccination. If the owner obtains the dog or brings the dog into this state
9 after the dog has reached 5 months of age, the owner shall have the dog vaccinated
10 against rabies within 30 days after the dog is obtained or brought into the state

1 unless the dog has been vaccinated as evidenced by a current certificate of rabies
2 vaccination from this state or another state. The owner of a dog shall have the dog
3 revaccinated against rabies by a veterinarian before the date that the immunization
4 expires as stated on the certificate of vaccination or, if no date is specified, within 3
5 years after the previous vaccination.

Insert
2-5 6 **SECTION 2.** 95.21 (9) (d) of the statutes is created to read:

7 95.21 (9) (d) A city, village, or town may exempt the owner of a dog from the
8 requirement to have the dog vaccinated against rabies for a year based on a ~~notarized~~
9 letter from a veterinarian stating that vaccination is inadvisable because of a
10 reaction to a previous vaccination, a physical condition, or a regimen of therapy that
11 the dog is undergoing. The city, village, or town shall require the owner to provide
12 a new ~~notarized~~ letter for each year in which the owner seeks an exemption under
13 this paragraph.

14 **SECTION 3.** 174.07 (1) (b) of the statutes is amended to read:

15 174.07 (1) (b) *Licenses.* Upon payment of the required dog license tax and,
16 except as provided in s. 95.21 (9) (d), upon presentation of evidence that the dog is
17 currently immunized against rabies, the collecting official shall complete and issue
18 to the owner a license for the dog bearing a serial number and in the form prescribed
19 by the department stating the date of its expiration, the owner's name and address,
20 and the name, sex, spayed or unspayed, neutered or unneutered, breed and color of
21 the dog.

22 (END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2976/1dn

RCT.....
js

Sara Buschman:

There is a statutory definition of "isolation facility," in s. 95.21 (1) (am). Please review the language that I added to s. 95.21 (5) (a) to ensure that it responds to the concern about isolation facilities that we discussed.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.state.wi.us

**2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2976/lins
RCT:.....

Analysis insert

Under current law, the owner of a dog is required to have the dog vaccinated against rabies. The owner of a dog must obtain a dog license annually from the city, village, or town in which the dog is kept and must provide proof of rabies vaccination in order to obtain a dog license.

This bill authorizes a city, village, or town to exempt the owner of a dog from the requirement to have the dog vaccinated against rabies if the owner provides a letter from a veterinarian stating that vaccination is inadvisable for reasons related to the dog's health. The owner may obtain a dog license for a dog that is exempt from the vaccination requirement, but the owner must provide a new letter for each year that the owner seeks an exemption.

Insert 2-5

SECTION 1. 95.21 (5) (a) of the statutes is amended to read:

95.21 (5) (a) *Delivery to isolation facility or quarantine on premises of owner.*

An officer who orders a dog or cat to be quarantined shall deliver the animal or shall order the animal delivered to an isolation facility as soon as possible but no later than 24 hours after the original order is issued or the officer may order the animal to be quarantined on the premises of the owner if the animal is immunized currently against rabies as evidenced by a valid certificate of rabies vaccination or other evidence. *delivers a dog or* If an officer orders a dog to be delivered to an isolation facility and the dog is exempt from the requirement to be vaccinated against rabies under sub. (9) (d), the owner of the dog may choose an isolation facility that is a veterinary hospital.

History: 1979 c. 129, 289, 357; 1981 c. 285; 1981 c. 314 s. 144; 1983 a. 189 s. 329 (18); 1983 a. 451; 1985 a. 135, 184; 1993 a. 27; 1995 a. 450; 1997 a. 192, 217; 1999 a. 9.

SECTION 2. 95.21 (5) (c) 1. of the statutes is amended to read:

95.21 (5) (c) 1. If a dog or cat is ordered to be quarantined because there is reason to believe that the animal has been exposed to a rabid animal and if the dog or cat is not currently immunized against rabies, the custodian of an isolation facility or the owner shall keep the animal leashed or confined for 180 days. The owner shall

have the animal vaccinated against rabies between 155 and 165 days after the exposure to a rabid animal, unless the animal is exempt from the requirement to
* have the animal^{be} vaccinated against rabies under sub. (9) (d). ✓

History: 1979 c. 129, 289, 357; 1981 c. 285; 1981 c. 314 s. 144; 1983 a. 189 s. 329 (18); 1983 a. 451; 1985 a. 135, 184; 1993 a. 27; 1995 a. 450; 1997 a. 192, 217; 1999 a. 9.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2976/1dn
RCT:cjs:pg

May 17, 2005

Sara Buschman:

There is a statutory definition of "isolation facility," in s. 95.21 (1) (am). Please review the language that I added to s. 95.21 (5) (a) to ensure that it responds to the concern about isolation facilities that we discussed.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.state.wi.us

Northrop, Lori

From: Buschman, Sara
Sent: Thursday, June 16, 2005 4:00 PM
To: LRB.Legal
Subject: Draft review: LRB 05-2976/1 Topic: Exemption from rabies vaccination requirement

It has been requested by <Buschman, Sara> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-2976/1 Topic: Exemption from rabies vaccination requirement